

January 31, 2007

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: January 30, 2007

Case Number: RB272-10099

This decision grants supplemental crude oil refunds. The names of the recipients and the amount of the refunds are listed in the Appendix to this decision.

This supplemental refund decision concerns the crude oil overcharge refund proceeding. Pursuant to the long-standing policy of the Department of Energy (DOE), thousands of purchasers of petroleum products have applied for, and been granted, refunds from crude oil overcharge funds under the jurisdiction of the DOE's Office of Hearings and Appeals (OHA). See Modified Statement of Restitutionary Policy In Crude Oil Cases, 51 Fed. Reg. 27899 (August 4, 1986). The standards for considering Applications for Refund from these crude oil funds are set forth at 10 C.F.R. Part 205, Subpart V. The deadline for applications in the crude oil proceeding was June 30, 1995.

The OHA has approved more than 87,000 crude oil overcharge refund applications. A claimant is generally eligible for a refund equal to the number of gallons of eligible refined petroleum products it purchased during the period August 19, 1973 through January 27, 1981, multiplied by a per gallon refund amount. That per gallon refund amount, also referred to as the volumetric, is derived by dividing the total refund monies available by the total U.S. consumption of petroleum products during the crude oil price control period. Originally, the DOE calculated refunds at a \$0.0002 per gallon volumetric. In 1989, the DOE increased the volumetric to \$0.0008 per gallon, and applicants paid at the lower \$0.0002 per gallon rate were eligible for a \$0.0006 per gallon supplemental payment. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). In 1995, the DOE increased the volumetric to \$0.0016 per gallon, and applicants paid at the lower \$0.0008 per gallon rate were eligible for a \$0.0008 per gallon supplemental payment.

On January 13, 2006, the DOE announced that applicants paid at the lower \$0.0016 per gallon rate are now eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). Refunds are rounded to the nearest dollar.

In order to receive a supplemental refund check, applicants are required to verify that their name and address in our records are correct, to correct any information that is not accurate, and to verify whether the refund cannot be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

This decision approves supplemental refunds for the applicants listed in the Appendix to this decision. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 50 applicants, totaling \$464,150.00.

It Is Therefore Ordered That:

(1) The Director of Special Accounts and Payroll, Office of Departmental Accounting and Financial Systems Development, Office of the Controller of the Department of Energy shall take appropriate action to disburse supplemental refunds to Lawrence I. Abrams, on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$464,150.00, via ACH payment, as set forth in a memorandum accompanying this Decision and Order.

(2) The funds shall be disbursed from the escrow fund denominated Crude Tracking-Claimants 4, Account No. 999DOE010Z, maintained at the Department of the Treasury.

(3) Applicants shall notify the Office of Hearings and Appeals in the event that there is a change of address, or if an address correction is necessary. Such notification shall be sent to:

Director of Management Information
Office of Hearings and Appeals
Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-0107

(4) Any conditions imposed that applied to an applicant's receipt of the initial crude oil refund shall also apply to that applicant's receipt of this supplemental refund.

(5) The determinations made in this Decision and Order are based upon the presumed validity of the statements and documentary material submitted by the applicants. This

Decision and Order may be revoked or modified at any time upon a determination that the basis underlying a refund application is incorrect.

(6) This is a final Order of the Department of Energy.

George B. Breznay
Director
Office of Hearings and Appeals

Date: January 31, 2007

Appendix - Supplemental Refund Case No. RB272-10099

Case No.	Firm	Volume	Refund
RF272-03264	WICHITA UNIF. SCHL DIST. #259	7,295,085	\$5,073.00
RF272-04104	JEDDO-HIGHLAND COAL CO.	13,099,570	\$9,109.00
RF272-05546	R.B. MATHESON POSTAL SERVICES	8,017,340	\$5,575.00
RF272-07420	FAST FOOD MERCHANDISERS, INC.	8,810,516	\$6,127.00
RF272-07938	INDIANAPOLIS PUB. TRANSP. CORP	12,922,095	\$8,986.00
RF272-08337	MILFORD MANAGEMENT CORP.	9,008,000	\$6,264.00
RF272-09828	UNIV. OF MEDICINE & DENTISTRY	11,631,810	\$8,089.00
RF272-13135	DEERE & CO.	52,849,475	\$36,751.00
RF272-15061	WISCASSETT MILLS CO.	10,892,357	\$7,574.00
RF272-16342	DICKSON COUNTY HWY. DEPT.	3,203,044	\$2,227.00
RF272-18860	CHIEF DRILLING CO., INC.	5,568,274	\$3,872.00
RF272-38239	STEVEN A. NERGER	4,145,930	\$2,883.00
RF272-44606	MRS. SMITH'S FROZEN FOODS CO.	19,097,324	\$13,280.00
RF272-44824	CHAMPION PARTS, INC.	7,656,616	\$5,324.00
RF272-45429	HAGGAR CLOTHING CO.	8,500,065	\$5,911.00
RF272-49839	HONEYWELL FLIGHT OPERATIONS	6,857,125	\$4,768.00
RF272-54894	TUSCAN/LEHIGH DAIRIES	10,707,000	\$7,446.00
RF272-56988	LEITZ TOOLING SYSTEMS, GMGH	3,215,300	\$2,236.00
RF272-58411	BD. OF PUBLIC UTILITIES OF KC	3,716,442	\$2,584.00
RF272-60752	OREGON HEALTH SCIENCES UNIVER.	15,052,756	\$10,468.00
RF272-61904	LAWTER INTERNATIONAL, INC.	2,934,364	\$2,041.00
RF272-63545	LAWTER INTERNATIONAL, INC.	463,600	\$322.00
RF272-63832	APPLETON ELECTRIC CO.	2,034,749	\$1,415.00
RF272-64822	STANDARD MATERIALS, INC.	14,115,931	\$9,816.00
RF272-64984	REPUBLIC INDUST. LIQUID. TRST	77,375,907	\$53,806.00
RF272-65041	FOREST OIL CORP.	10,081,200	\$7,010.00
RF272-65325	LEESER TRANSPORTATION, INC.	2,774,562	\$1,929.00
RF272-66185	SOLITE CORP.	4,536,283	\$3,154.00
RF272-66380	MEADWESTVACO CORPORATION	161,123,807	\$112,044.00
RF272-69239	TOM C. LINDEMANN	2,963,861	\$2,061.00
RF272-72200	BARGE MANAGEMENT, INC.	3,920,160	\$2,726.00
RF272-72798	WENZL, INC.	2,133,471	\$1,484.00
RF272-75130	ROONEY TRUCKING INC.	2,004,055	\$1,394.00
RF272-75805	SUN CAB CO., INC.	8,328,787	\$5,792.00
RF272-78106	ALLIED-SIGNAL ENGINES	13,715,451	\$9,538.00
RF272-78190	A.G. SHERWOOD CONSTRUCTION CO	3,349,190	\$2,329.00
RF272-89781	HARDRIVES OF DELRAY, INC.	6,324,382	\$4,398.00
RF272-92221	ACF INDUSTRIES, INC.	5,306,801	\$3,690.00
RF272-92234	ZENITH ELECTRONICS CORP.	9,667,232	\$6,722.00
RF272-93243	ABBOTT LABORATORIES	10,172,300	\$7,074.00
RF272-95737	MICHAEL L. SHERMAN	8,386,442	\$5,832.00
RF272-97902	D.A. STUART CO.	5,077,225	\$3,531.00
RK272-00257	PHILIP V. MARTINO , TRUSTEE	45,469,624	\$31,619.00
RK272-01712	NOVAK REALTY CO.	3,503,673	\$2,436.00
RK272-01946	EARL W. DAWES TRUST	7,824,420	\$5,441.00
RK272-03542	FOXBORO CO.	6,749,015	\$4,693.00
RK272-03580	STANDARD SLAG CO.	12,467,185	\$8,670.00
RK272-03634	DEVEREUX FOUNDATION	3,562,042	\$2,477.00
RK272-05646	ELF ATOCHEM NORTH AMERICA, INC	4,956,500	\$3,447.00
RK272-05650	DAVID COAY	3,899,299	\$2,712.00
Totals	50 Applicants	667,467,642	\$464,150.00